

NEW JERSEY MILITIA NEWSLETTER

Volume X, Issue No. 9

March 2005

All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

-- Article 1, Section 1, New Jersey State Constitution

The Militia and the Right to Keep and Bear Arms

Opposition to privately owned arms is one of the hallmarks of modern American liberalism, but the standard arguments against gun ownership are in serious disarray. In *The Militia and the Right to Arms or, How the Second Amendment Fell Silent*, Columbia University law professor H. Richard Uviller and William G. Merkel, an Oxford doctoral candidate in history, set out to rearrange them, despite the authors' professed indifference to gun control.

If the authors are correct, ironically, they will have proved the individual-rights crowd to be unwitting advocates for a living constitution. In any case, their book represents the most rigorous and systematic attempt to deconstruct the Second Amendment yet.

Consider that in 1995 the individual rights view of firearms ownership—supported by a steadily growing body of legal scholarship—was known as "the standard model" in academic and legal journals. Then in 2000 disgraced Emory University historian Michael Bellesiles' *Arming America: The Origins of a National Gun Culture*—contending that firearms ownership was rare in early America—was judged "unprofessional and misleading" by a panel of American historians, though the book had been awarded Columbia University's prestigious Bancroft Prize.

Alongside these blows to liberal ideology, practical arguments have favored private firearms ownership, reflected in a clear move in state capitols toward allowing law-abiding citizens to apply for a concealed carry permit (with no increase in crime rates or accidental shootings to show for it). The multiple lawsuits directed

against gun manufacturers have been repeatedly thrown out of court, followed last September by a Center for Disease Control report finding no clear evidence that gun control laws are effective in reducing deaths and injury. And culturally speaking, in post-9/11 America, guns are definitely back in style: the Harvard Law School Target Shooting Club now boasts 140 members.

Meanwhile two federal Second Amendment cases have been decided with contrary results. *Emerson v. U.S.*, which the authors include in their discussion, was decided in October 2001 by the Fifth Circuit, with dicta favoring the individual rights interpretation. Another case, *Silveira v. Lockyer*, decided in December 2002 by the Ninth Circuit, favors the collective rights view. With opposite positions having been staked out at the Circuit Court level, it is not impossible that the U.S. Supreme Court may address the question.

Uviller and Merkel believe they can pull the constitutional rug out from under gun owners by making a right to keep and bear arms conditional on the militia. Focusing on English history and the American colonial era, they argue that militias were always understood as collective bodies, and the arms held by individuals were always understood to be in the service of the political community. The language of the Second Amendment, they write, was "clearly intended (according to the overwhelming weight of evidence, contextually read and understood) to convey a militia-dependent right." The question in our time is, "what happened to the right to arms when the militia, on which that right depended, went out of business." That right, they conclude "closed up shop as well."

But what of "the people"? Does it make sense that the Amendment's framers would use the word so differently, in one amendment referring to individuals and in the next to a collective body? The authors' strained explanation is that it was only by political accident that the collective right to arms was included alongside the legitimate individual rights that grew out of natural rights theory at the American founding. The right to arms was "too wedded to the ancient, mixed, and balanced Constitution, too steeped in English political history to make an easy transition into a universal 'rights' framework. It did not readily lend itself to Locke's rational and enlightened discourse about the nature of man and the entitlements appurtenant thereto.... The right to arms differs from its now individualistic companions also because it never escaped its heritage as a corporate entitlement belonging to individuals only because they were members of a group."

Happily stealing thunder from their opponents, Uviller and Merkel bolster their case with quotations from the early republic, demonstrating that the right to arms was often clearly linked to an *organized* militia. For example, Justice Joseph Story's oft-cited gloss on the Second Amendment that, "The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic" is followed later by his lament that "among the American people there is a growing indifference to any system of militia discipline, and a strong disposition, from a sense of its burthens, to be rid of all regulations."

The question of the militia and a standing army figures prominently at several points in the *Federalist*, and the authors take note especially of Hamilton

and Madison's differing views about the danger of a standing army, and the militia's utility in countering it. Hamilton—like Washington—a pronounced skeptic of the militia after the Revolution—argues that, "The steady operations of war against a regular and disciplined army can only be successfully conducted by a force of the same kind." Madison, appears more confident about militias, arguing that Americans need not fear a federal army because even if that army should become a threat, "the state governments with the people on their side would be able to repel the danger...[by forming] a militia amounting to near half a million of citizens with arms in their hands."

It is possible to read this latter quotation, as the authors do, to mean "arms" provided by state governments in organized and regularly mustered militias. It is more difficult to do so with the sentences that follow, which the authors neglect, namely, Madison's reference to "the advantage of being armed, which the Americans possess over the people of almost every other nation," and the contrast with "the several kingdoms of Europe [in which] the governments are afraid to trust the people with arms."

If the founding era is replete, as the authors claim, with references to arms wielded by organized militia, there is also ample support for individual ownership, indeed the manufacture, of small arms. Thomas Paine, for example, in a 1775 tract directed to religious pacifists wrote, "The supposed quietude of a good man allures the ruffian; while on the other hand, arms like laws discourage and keep the invader and plunderer in awe, and preserve order in the world as well as property. The balance of power is the scale of peace. The same balance would be preserved were all the world destitute of arms, for all would be alike; but since some will not, others dare not lay them aside. . . . Horrid mischief would ensue were one half the world deprived of the use of them; for while avarice and ambition have a place in the heart of man, the weak will become prey to the strong." Similarly, Federalist Noah Webster's 1787 gloss on the Constitution: "Before a standing army or a tyrannical government can rule, the people must be disarmed; as they are in almost every kingdom in Europe. The supreme power in America cannot enforce unjust laws by the sword; because the whole body of the people are armed, and

constitute a force superior to any band of regular (or professional) troops that can be, on any pretense, raised in the United States." If these are references to arms borne by militias the connection isn't clear.

Moreover, while their subject is indeed the Constitution's Second Amendment, and they give extensive attention to the Bill of Rights's ratification debates, surely their argument also requires attention to the right to arms guaranteed in several state constitutions. Mentioned only in passing is Pennsylvania's state constitutional provision of 1776 guaranteeing "That the people have a right to bear arms for the defence of themselves and the state." But identical or similar language appears in the constitutions of Vermont (1777), Kentucky (1792), Ohio (1802), Indiana (1816), Mississippi (1817), Connecticut (1818), Alabama (1819), Missouri (1820), and Michigan (1835).

Isn't the authors' view of the militia as a means of national defense a bit limiting? Might not the militia have had some other function? As Justice Story said, "the right of the citizens to keep and bear arms . . . offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist, and triumph over them." Is it not possible that the framers understood an implied personal right to arms as a means for the people to defend against tyranny?

Indeed, an individual right to arms makes perfect sense if the Second Amendment is read in light of the Declaration of Independence. Individuals are endowed with certain unalienable rights, and government's task is simply "to secure these rights." But government, like any human institution, might become corrupt, failing in its duty to secure rights: When "any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it." If faced with "absolute despotism"—as distinguished from poor policies or misinformed leadership—"it is their right, it is their duty to throw off such government" and institute "new Guards" to secure their rights. If rights belong to the people, and government exists to secure those rights, privately held arms logically stand as the people's final means to protect their liberties, and the means for restoring rightful government. In fact, privately owned arms stand as a deterrent to the imposition of tyranny in

the first place.

But this the authors are quite unwilling to admit. In a section devoted to Sanford Levinson's 1991 essay, "The Embarrassing Second Amendment," **Uviller and Merkel briefly entertain what they label "insurrectionist" theory with respect to the militia, but only provided the right class of people carry out the insurrection. The Earl of Shaftesbury, Locke, Sidney, Adams, Franklin, and Jefferson were justified in their acts of rebellion because they were "the most educated and forward looking public servants of their times. They spoke for substantial bodies of thoughtful, public-spirited people committed to the rule of law...." By contrast, they write, "today's bigoted, gun-hoarding insurrectionists' claim to have better title to determine policy . . . cannot be justified by implausible analogy to historical principles long since forsaken." We are also assured by the authors that the American Constitution was so perfectly built as to have made impossible any form of tyranny. "The moment of Lockean reversion to first principles need never, and (from the perspective of constitutional legitimacy) can never, come."**

For Uviller and Merkel, then, it's impermissible to read the Second Amendment in the light of the Declaration—in their view its light is abruptly switched off with ratification of the Constitution. And despite their protestations that despotism can never happen here, gun owners are consistent with the Declaration in saying, "Thanks all the same, but I'll be keeping my firearms just in case." Nor do the authors persuasively engage the case of those petty despots—criminals—whom privately owned firearms "keep in awe" every day.

If in the end it doesn't persuade, this book turns out to be an interesting example of what happens when historians use original intent in the service of a progressive objective like gun control. But for most Americans the utility of that exercise will be lost. A right to arms wholly limited to organized militias makes no more theoretical or practical sense now than it would have two centuries ago.

-- Claremont Institute book review by David C. Palm posted Feb. 8, 2005

Longevity

Q: I've heard that cardiovascular exercise can prolong life. Is this true?

In the beginning of change the patriot is a scarce man, brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot. – Mark Twain

A: Your heart is only good for so many beats...don't waste them on exercise. Everything wears out eventually. Want to live longer? Take a nap.

Q: Should I cut down on meat and eat more fruits and vegetables?

A: You must grasp logistical efficiencies. What does a cow eat? Hay and corn. And what are these? Vegetables. So a steak is nothing more than an efficient mechanism of delivering vegetables to your system. Need grain? Eat chicken.

Q: Should I reduce my alcohol intake?

A: No, not at all. Wine is made from fruit. Brandy is distilled wine; they take the water out of the fruit so you get even more of the goodness. Beer is made out of grain. Bottoms up!

Q: How can I calculate my body/fat ratio?

A: Well, if you have a body and you have body fat, your ratio is one to one. If you have two bodies, your ratio is two to one, etc.

Q: Aren't fried foods bad for you?

A: Foods are fried in vegetable oil. In fact, they're permeated in it. How could getting more vegetables be bad for you?

Q: Will sit-ups help prevent me from getting a little soft around the middle?

A: Definitely not. When you exercise a muscle, it gets bigger. You should only be doing sit-ups if you want a bigger stomach

Q: Is swimming good for your figure?

A: If swimming is good for your figure, explain whales to me.

Q: Is getting in shape important for my lifestyle?

A: Hey! 'Round' is a shape!

Surviving 2005

By Joel Skousen

Suggestions for preparations: Financially, I recommend you have at least a month or two's worth of cash on hand for emergencies. However, now it looks like inflation is really on the march so everyone needs to get into a home or other appreciating asset that will rise with inflation. I recommend staying debt free even in housing as far as possible--so don't buy more home than you need. If you have to borrow for a home (most do), now is the time to get in. Stay away from adjustable rate mortgages. Fixed rates for 30 years are still below 6% and the rate of inflation is higher than that. So, the cost is almost nil to own a home, counting the tax write offs.

As for physical preparations, the more you have stockpiled inside your home, the less subject you are to panic outside -- though every prepared person needs to provide for his or her own personal defense. In times of social unrest, you can be assured that 911 calls will overwhelm law enforcement.

For stockpiling and barter recommendations, you need my little booklet, *Ten Packs for Survival* (\$5). For tips on contingency planning and how to find a safe place to live, *Strategic Relocation* is an important resource (\$35). Most people, where possible, should modify the location of where they are presently living, to one that offers more protection, less traffic, less visibility, and at least minimal space for gardening. For detailed guidance on remodeling a home for security and self-sufficiency, or building a new home or retreat with a totally integrated package of preparedness features, you should get *The Secure Home* (\$45). It has architectural details and advice for constructing a high security shelter on almost any scale, from remodeling a closet for security purposes to designing and building a new retreat home.

The most economical way to get fallout protection in an existing home is to build a concrete block shelter within an existing basement, using a corrugated steel decking as a lowered ceiling a foot below the existing eight foot high ceiling. Cement filled concrete blocks are then stacked end to end on top of this lowered ceiling. A do-it-yourselfer can put together the structure of a safe room for about \$3,000. My book, *How to Implement a High Security Shelter in the Home* (\$25) has complete architectural plans for this kind of endeavor and covers equipment and concealed entries too. It also outlines my special innovation of bullet-proof gravel wall construction to turn a master bedroom walk-in closet into a safe room. I even tell how to use pea gravel to bulletproof a hollow steel utility door.

All my books are available from Swift Publishing at 1-800-644-1057.

How Much Is Enough? My wife and I ourselves have struggled with this very question. One could spend an infinite amount of money preparing against every contingency.

Here is what I think is the minimum, in general:

1) A year's supply of food, mostly consisting of long-term storage grains, with about a 3-6 months' supply of the normal grocery products your family is used to. (Do not including junk food, which should be eliminated from your diet.) Don't forget a year's supply of

normal household products that you can't home manufacture.

2) A "minimalist-sized" fallout resistant safe room with minimum sanitation, cooking, and storage facilities (including lots of water), with battery-powered fans and lights. Other equipment can be included later, following the guidelines in *Ten Packs for Survival* or *The Secure Home*, but that's the minimum--and it doesn't take a lot of money.

3) Some fuel storage for your vehicle (a high mileage diesel vehicle is best).

4) Some self-defense weapons, plus ammunition.

5) Some tools to fix things.

6) An alternative power source--small generator and/or solar panels and battery bank.

7) Herbs and vitamins (learn how to use at least some effectively), along with some first aid and medical equipment.

Keep a few thousand dollars of cash safely stored in a fireproof container, hidden in the home. Inflation is now around 10% or more, so you are losing value on your cash stash --but it is still a necessary contingency. For longer-term barter, buy a few thousand dollars' worth of circulated US Morgan silver dollars. They are still legal tender and represent the best potential for getting your money's worth out of a trade. They are big, fat, and heavy - impressive to the know-nothing man on the street. Gold coins are OK only for large purchases, but don't expect people to give you full value for gold in a barter economy. No one knows how to recognize the authenticity of gold anymore.

Get at least one super economical vehicle in your stable of cars. The VW TDI line of diesels is the most economical and reliable of all the high mileage cars at this time - even beating the hybrid vehicles. Diesel fuel stores much better than gasoline for the long term as well.

Learn alternative skills, especially how to repair things - a skill that is always in great demand.

Build a network of like-minded friends and relatives. It is essential that you have several fallback positions and alternative places to stay should your present location become untenable.

I realize my world view may seem extremist and overly pessimistic to some. However, I have watched and analyzed world events for decades; the concomitant erosion of what is left of our liberties will yet come to pass. Although we cannot hope to alter significantly the scheme of events, we can at least be

aware of their development and prepare ourselves and our loved ones for their effects. It is to that end that I warn you once again to be prepared, before "the night cometh, when no man can work."

-- worldaffairsbrief.com Dec. 3, 2004

The Minuteman Project

To Citizens of the Republic of the United States of America

Are YOU interested in spending up to 30 days along the Arizona border as part of a blocking force against entry into the U.S. by illegal aliens?

I invite you to join me in Tombstone, Arizona from April 1-30, 2005 to protect our country from a 40-year-long invasion across our southern border with Mexico.

Chris Simcox of Civil Homeland Defense, and the publisher of the Tombstone *Tumbleweed* has helped protect our borders for five years with only a handful of patriotic volunteers. It is time we provided him with reinforcements.

I am recruiting volunteers to converge on the southern border of Arizona for the purpose of aiding the U.S. Border Patrol in "spotting" intruders entering the U.S. illegally.

This is strictly a volunteer project. No financial subsidies are available. And you will probably need a tent, sleeping bag, hiking gear, etc. You will be responsible for all costs associated with your participation.

Currently about 5,000 "unapprehended" illegal aliens trespass the Arizona/Mexico border DAILY. Another 5,000 invade the U.S. from the Texas, California and New Mexico borders DAILY. That's 10,000 per day, 300,000 per month. Over 3,000,000 (three million) per year!

Our objective will be to spot these intruders with the aid of binoculars, telescopes, night vision scopes, and contact the Border Patrol so that agents can intercept and detain the trespassers. Generally we will not be confronting the illegal aliens. The tentative area of observation will be a 20- mile stretch of lowlands across the San Pedro Valley.

I hope to bring serious media and political attention to this event. It will tune the American people into the shameful fact that 21st century minutemen/women have to help secure U.S. borders because the U.S. government REFUSES to provide our dutiful Border Patrol and Bureau of Immigration and Customs Enforcement (ICE) with the manpower and funding required.

I estimate the cost per person (for 30 days) could be as high as \$3,500 or as low as \$1,200, depending on your travel, meal and lodging arrangements. Costs can be substantially lower for those who share two-bed lodging rooms, or take advantage of land owner's "free" land for RV parking and/or tenting. I intend to stay the entire 30 days of this mission, however, that length of time is NOT a requirement to volunteer.

The Tombstone area offers some interesting hunting, hiking, camping, horse riding and mountain climbing opportunities for avid outdoorsmen/women.

If YOU are interested in participating in this unprecedented event, please contact me via email at century21minuteman@bcglobal.net

Please provide a brief history of yourself. For example, your vocation, any military background, outdoors (outback) experience, etc. There are no prerequisites, however, I would like to know something about the experiences of those responding to this invitation.

The Minuteman Project welcomes participants regardless of gender, race, color, creed, age, or physical disability. An enthusiastic invitation is extended to current and former members of law enforcement organization or military veterans with reconnaissance (LRRP) or intelligence gathering experience.

Please INCLUDE the following information in your email response: name, address, telephone number and best time to call, brief statement why you want to participate, amount of time (1-30 days) you desire to participate, brief account of any similar experiences related to the mission of The MinuteMan Project, any ailments or physical disabilities that might limit the "type" of participation, ANY foreign language(s) in which you communicate with reasonable fluency.

The following information is requested for statistical purposes ONLY: your nationality/heritage (Cuban, English, Mexican, African, Chinese, Bolivian, Russian, German, Italian, Lebanese, etc); most recent profession; for Legal immigrants only: source, country and year of immigration to USA.

D-Day 1 April 2005

Bring your state flag!

Cheers,

An American Without a Country
James W. Gilchrist, BAJ, BSBA, MBA
(Taxation), CPA (Ca.)-retired
Aliso Viejo, California

-- www.minutemanproject.com

J.Q. Adams versus G.W. Bush

Whenever the standard of freedom and Independence has been or shall be unfurled, there will her heart, her benedictions and her prayers be. But she goes not abroad, in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own. -- Pres. John Quincy Adams, 4th of July oration 1821

You can fool some of the people all of the time, and those are the ones you need to concentrate on. -- Pres. George W. Bush, joking with insiders at the Gridiron Club. Bush said he got this advice from former Democratic power broker Robert Strauss. ("Bush mocks Bush", BBC News March 25, 2001)

Thought for the day

There is more money being spent on breast implants and Viagra today than on Alzheimer's research. This means that there will be a large elderly sexed up population with perky bosoms and erections and absolutely no recollection of what to do with them.

Police State, Ho!

Congressman Ron Paul is vehemently denouncing H.R. 418, the so-called REAL ID Act of 2005 passed by the House 261-161. (The bill moves on to the Senate next.)

Paul noted that the legislation gives authority to the Secretary of Homeland Security to expand the required information that goes into drivers' licenses, including "such biometric information as retina scans, fingerprints, DNA information, and even Radio Frequency Identification (RFID) radio tracking technology."

Moreover, H.R. 418 requires the U.S. government to share Americans' personal information with Canada and Mexico. Paul was flabbergasted. "There are no limits on what happens to the database of sensitive information on Americans once it leaves the United States for Canada and Mexico -- or perhaps other countries," he said. Paul wondered if crooked Mexican officials would soon be able to sell thousands of identity files, including our Social Security numbers, to alien criminals.

Paul also informed his House colleagues about the dangers this bill poses to gun owners, noting that H.R. 418 contains no prohibitions against including "a person's appearance on a registry of firearms owners" in the National ID card.

"H.R. 418 does what legislation restricting firearm ownership does," Paul said. "It punishes law-abiding citizens. Criminals will ignore it."

"H.R. 418 offers us a false sense of greater security at the cost of taking a gigantic step toward making America a police state."

"Very few people seem to see this as we do, as a precursor to something very bad, a domestic passport, a national ID card to do the business of life in America, to get a job, to travel," said Rep. Paul's press secretary Jeff Deist. "It doesn't strengthen border control; it doesn't add new agents or anything like that."

Gun Owners of America agree with this concern. "In considering this bill, the U.S. House has voted to empower the federal government to determine who can get a driver's license – and under what conditions," the group said in a statement. "Since you need a driver's license to purchase a gun from a dealer, this will give [the government] the expanded ability to impose even greater forms of gun control – something which it has long coveted."

-- www.prisonplanet.com, Feb. 10 and www.gunowners.org Feb. 17, 2005

N.J. Militia a Bunch of Hicks?

Ed.: we love our readers but with friends like these who needs enemies, or is an "enemy" trying to stir up us hicks?

Hello,

I have a question regarding The Battle of Monmouth (Revolutionary War, 1781). I think my question concerns the New Jersey Militia's part in it....

I recently watched a History Channel program (Battlefield Detectives) on The Battle of Monmouth. In that show, I think I heard the term "hickmen" used. It was used referring to a segment of American/Colonial troops.

The narrator said something like, "then the hickmen stepped in (or stepped up)...."

It appeared to refer to a fresh line of troops who formed a line and began firing at the British.

I know, along with Washington's "regulars", there were also NJ Militia at Monmouth -- and I wondered if "hickmen" referred to the NJ Militia?? Was "hickmen" a term then used to refer to local or state militia??

I hope you can help me with this term,
Thank you!
Robyn Berry

Secession or Death!

There's a lot of talk about secession in the aftermath of the recent presidential election. And if there is a state that could potentially secede it is Vermont, because from 1777 to 1791 Vermont took its place among the nations of the world.

Born out of the struggle between New York and New Hampshire over the mountainous lands between them, the residents of what was then called New Hampshire Grants, declared its independence from both the British crown and New York, which was granted dominion over the area by King George III in 1764. Ethan Allen's Green Mountain Boys, hence the French name Vermont, made the point by capturing Ft. Ticonderoga. Gen. John Stark made sure it stuck when his militiamen routed British General John Burgoyne at Bennington, foreshadowing Burgoyne's defeat at Saratoga, the battle that changed the fortunes of the American Revolution.

Vermont ratified the Constitution in 1791 to prevent the state from being swallowed up by New York. If self-preservation influenced the state's decision then to give up its independence, that same spirit motivates a new group determined to reverse what happened.

The Second Vermont Republic (www.vermontrepublic.org) does not plan to run candidates in the next election nor become a political action committee. What it does intend to do is to educate the citizens of the state of their unique status of one-time independence and their potential for uniqueness in the future, whether as an independent republic or not.

"Vermont was made from scratch. We were never a colony," said Thomas Naylor, head of the Second Vermont Republic. "That's our heritage. We have a big education job ahead of us. What we also hope to see is pro-secession or pro-decentralization efforts from us to more active grassroots political organizations."

The Second Vermont Republic has already had a big impact. The group's Middlebury Declaration, its written goals for Vermont independence drafted in November of 2004, has been cited in several foreign publications, particularly in Quebec. A write-up in *The Nation* has produced interest from around the country and spurred efforts by grassroots activists to make Vermont's Independence Day, Jan. 15, 1775, into a statewide holiday, and to put a

resolution before the spring 2005 town meetings to call for all Vermont National Guard troops to be removed from Iraq.

There is a growing "granola conservatism" movement described by Ron Dreher in a Sept. 30, 2002 article in *National Review*. It incorporates, to some extent, elements in movements like the secessionist League of the South and the libertarian Free State Project. There are conservatives and libertarians who actually wish to conserve things and set down their root in a small place to call their own. Indeed, the new politics isn't really left or right so much as it is about time and space. The divisions within politics are between those who believe America's future is about empire, global democracy and interdependence, and those who see the future in the little places they call home by preserving time honored values and traditions of the little place -- just like Vermont. --Sean Scallon, Etherzone, Dec. 29, 2004

A Threat from Interior

Oh, No. John Turner for Under Secretary of Interior!

Great favorite John Turner is being considered for the position of Under-Secretary of the Interior. The idea is to have Gale Norton resign and move Turner up to Secretary of Interior.

Thousands of landowners and Federal land users worked hard in 2001 to head off Turner.

Now you must do it again.

Land Grabber John Turner is currently in charge of environmental issues at the State Department. He works very closely with the United Nations. And because he is a close friend of Vice-President Cheney and from Wyoming, you can see his hand in other issues throughout the government.

Before the Bush Administration he was President of the Conservation Fund, one of the leading trust funds dedicated to threatening, dividing and isolating land owners and small towns. He is responsible for wrecking countless families and communities by directing his Fund to work with Clinton Administration federal agents.

Here's how The Conservation Fund works. Federal agents harass small property owners with regulations such as the Endangered Species Act, prohibiting them from fixing a fence, repairing a shed or maintaining a road. After the feds drive the landowner to distraction, The Conservation Fund

offers to buy the land at a few cents per dollar - take it or leave it.

This is what the Land Grabbers call "reaching common ground." And what do you know, the name of John Turner's former newsletter is - you guessed it - "Common Ground."

John Turner was, of course, a great supporter of CARA, the \$45 billion Condemnation and Relocation Act. His fund stood to gain millions in grant money from CARA to continue its activities, and to pay Turner's salary when he was at the Conservation Fund, estimated at well into six figures, plus expense accounts, etc etc.

Check it out for yourself, at <http://www.conservationfund.org> In particular, check out the "Conservation Leadership Network."

The Network is the leading training school that teaches federal agents and environmentalists methods of harassing landowners and kicking them off their property. The school is subsidized by your tax dollars via grants from the US Fish and Wildlife Service. Big Government, Big Green. When John Turner is involved, there's not really much difference!

And Turner is being considered for a TOP JOB, even Secretary of Interior!!! But first, they will try to quietly appoint him Under-Secretary of Interior. He will undermine Gale Norton and threaten you terribly.

Tell the people below what you think. They will have an important say in the key appointments at the Interior Department.

*****You must tell your Senators and Congressman as well as key White House Officials: MAKE THOSE CALLS. *****"NO JOHN TURNER, NO LAND GRABS - LEAVE MY PROPERTY ALONE!!!"

These are the people in the White House who YOU MUST CONTACT:

Internet: <http://www.whitehouse.gov>

White House Chief of Staff
Andrew Card - (202) 56-6798

Assistant to the President for
Policy Josh Bolton - (202) 456-6798

Senior Advisory to the
President - Karl Rove - (202) 456-2108

-- American Land Rights Association,
Box 400, Battle Ground, WA 98604

Back When

In 1856 the US Supreme Court affirmed that this nation was established by force of arms leaving no doubt that the right to keep and bear arms was a right never to be put into question by Congress or any State government.

"It becomes necessary, therefore, to determine who were citizens of the several States when the Constitution was adopted. And in order to do this, we must recur to the Governments and institutions of the thirteen colonies, when they separated from Great Britain and formed new sovereignties, and took their places in the family of independent nations. We must inquire who, at that time, were recognised as the people or citizens of a State, whose rights and liberties had been outraged by the English Government and who declared their independence, and assumed the powers of Government to defend their rights by force of arms," wrote Mr. Chief Justice Roger B. Taney, who delivered the opinion of the court in *Dred Scott v. Sanford*, 60 US 393, 407 (1856)

Ed.: Chief Justice Taney ruled that only freeborn Americans have the right to keep and bear arms, and that slaves like Dred Scott did not. The court denied Scott his freedom on the grounds that as a free man he would have the right to keep and bear arms. In fact the Constitution refers to "the people" which includes everyone in the United States. On a positive note, the court did recognize RKBA and the right of the people to "defend their rights by force of arms."

Man Cleared for Telling Lawyer Jokes

NEW YORK - A man arrested after telling lawyer jokes at a courthouse got the last laugh when a grand jury dismissed the disorderly conduct charge against him.

"It's still legal in America to tell jokes - even about lawyers," said 70-year-old Harvey Kash's lawyer, Ron

Kuby.

Kash testified he was exercising his First Amendment right when he shared a few lawyer jokes with a friend as they waited to enter a Long Island courthouse last month.

Kash is a co-founder of Americans for Legal Reform, a group that uses confrontational tactics to urge greater public access to the courts. They said they have mocked lawyers outside courts for years.

"How do you tell when a lawyer is lying?" Kash reportedly asked.

"His lips are moving," the pair howled in unison.

Some people giggled, but a lawyer in the line reported them to court officers. They were arrested for allegedly being abusive and causing a disturbance.

-- AP, Feb. 8, 2005

Ed.: shouldn't court officers who violate rights be fired?

Torture Apologist Backs Gun Ban

Testifying before the Senate at his Attorney-General confirmation hearing, Alberto Gonzales announced he supports President Bush's position on the semi-auto ban.

"The president has made it clear that he stands ready to sign a reauthorization of the federal assault weapons ban if it is sent to him by Congress," Gonzales said. "I, of course, support the president on this issue."

Gonzales was President Bush's White House attorney who called the Geneva Convention's torture ban "quaint".

Gonzales joins a long line of anti-Constitution Attorneys General. For instance his immediate predecessor, John Ashcroft, opposed the 5th Circuit's *Emerson* ruling that a federal law was unconstitutional because it disarmed citizens who were not guilty of a crime or had not been convicted by a jury.

NJM, P.O. Box 10176, Trenton New Jersey 08650

ISSN 1523-4657

www.njmilitia.org

info@njmilitia.org

walnor@keepandbeararms.com

Middlesex County, Art (732) 607-0833
Wake Co, NC, Dave (919) 363-9410
Morris County, Bill (973) 361-3241
Johnson County, TX, Earl (817) 866-3288

Newsletter Subscription - Donation \$10.00

Cash or Blank Money Order Only

Name _____

Address _____

City _____ State ____ Zip _____